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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 000185

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DEPARTMENT FOR D, SA, SA/INS, INR/NESA;
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SUBJECT: Cohabitation channels remain open, but dispute over Defense Ministry continues

Refs: Colombo 155, and previous

(U) Classified by Ambassador Jeffrey J. Lunstead.
Reasons 1.5 (b,d).

11. (C) SUMMARY: Cohabitation channels between the President and the PM remain open, but the two sides have still not come to agreement on how to divide Defense Ministry functions. As the impasse continues, there is renewed talk that parliamentary elections may be in the offing, perhaps in conjunction with the Provincial Council elections tentatively slated for April. There remains significant pressure on both sides to show flexibility in resolving the cohabitation dispute, so as to avoid parliamentary elections, which would be expensive and violent, and probably inconclusive. END SUMMARY.

12. (C) CHANNELS STILL OPEN: Cohabitation channels between President Kumaratunga and Prime Minister Wickremesinghe remain open. The two sides, however, have still not come to agreement on how to end the impasse, which began in November 2003 with the President's takeover of the Defense, Interior, and Mass Communications ministries. The President-PM joint committee formed to discuss the situation last met on January 23 (see Reftels) and it may meet again this week, perhaps as early as February 3 according to contacts. In the meantime, Mano Tittawella, a presidential adviser and Kumaratunga's chief representative on the joint committee, told the Ambassador on January 28 that messages are being passed between the two sides. In a February 1 discussion with Pol FSN, Malik Samarawickrama, the PM's key representative on the committee and the head of his United National Party (UNP), also confirmed that messages are being passed.

13. (C) Regarding the exact nature of the ongoing dispute, both Tittawella and Samarawickrama confirmed that the key issue under discussion remains how to divide up control over core functions of the Defense Ministry. The PM continues to maintain that he needs maximum control of security issues in order to move the peace track forward, while the President has set out a complex plan that would keep her in charge, but provide the PM significant input (see Reftels).

14. (C) NOT MUCH OPTIMISM: Although channels remain open, representatives from both sides report that the situation does not look particularly positive with respect to a settlement of the dispute. In a January 30 meeting with Ambassador Lunstead, G.L. Peiris, the Minister of Constitutional Affairs and a key adviser to the PM, related that no deal was imminent and downplayed, as unrealistic, any degree of optimism for an impending solution. The two sides had been close to a deal in recent weeks, he said, but he felt that the President had let senior advisors talk her out of coming to terms with the UNP coalition.

15. (C) As for the Prime Minister, Peiris averred that Wickremesinghe needed to be flexible, but warned that the UNP coalition could not compromise on powers it thought of as "indispensable" to the functioning of its government. From the President's side, Mano Tittawella made similar comments to the Ambassador on January 29. Characterizing the situation as "not looking good," Tittawella wondered whether the political will necessary to resolve the cohabitation impasse was truly there on either side. If there was political will, Tittawella said, then the means could be found to resolve the thorny Defense Ministry issue.

16. (C) PARLIAMENTARY ELECTIONS?: As the cohabitation impasse continues, there is renewed talk that national parliamentary elections may be in the offing. The discussion revolves around the following factors. Under Sri Lankan law, it takes roughly two months between the time when the President dissolves Parliament and when

the elections are held. If no agreement between the PM and the President is reached by mid-February, the President could call for elections at that time, just two months prior to the Provincial Council (PC) elections tentatively slated for the end of April. This would allow the two sets of elections to be held on the same day. (Note: The Supreme Court is currently reviewing a proposal agreed to by the President and the PM regarding the holding of the PC elections. It remains possible -- but not likely -- that the tentative April timeframe may shift somewhat if the Court decides the law requires it.)

17. (C) Both the President and the PM have recently given tentative indications that early parliamentary elections may be unavoidable down the line. Kumaratunga, for example, recently publicly stated that she did not "think that these two powerful parties can cohabit for a long time." This comment was taken as a hint that she was seriously mulling over near-term elections. The PM was also recently quoted as saying that he was confident that his party would win if national elections were called.

18. (C) Queried on the matter, Peiris told the Ambassador that he thought it was unlikely that the President would call elections. He reasoned that the radical Janatha Vimukthi Peramuna (JVP) would likely gain seats in a parliamentary election. This would increase its leverage vis-a-vis the President's Sri Lanka Freedom Party, which the JVP recently joined with in an alliance. Kumaratunga does not want that to happen and thus might be reluctant to go to elections, he said.

19. (C) COMMENT: There remains significant pressure on both sides to show flexibility in resolving the ongoing cohabitation dispute. Simply put, no one wants to face the likely alternative: parliamentary elections, which are historically expensive and violent in Sri Lanka (over 50 people were killed in the 2001 elections, for example). Moreover, in all likelihood, the election result would be inconclusive, with neither of the two major parties gaining a clear edge over the other. That said, at this stage, the Prime Minister is hanging tough to his stance that he needs control of core defense functions in order to move forward with the LTTE on the peace track, while the President maintains she has offered to compromise, and it is the PM who is unreasonable. Both protagonists seem to want to drag things out, evidently hoping that the onus to compromise somehow swings over to the other side. Both also may be inclined to await results from the Provincial Council elections. END COMMENT.

110. (U) Minimize considered.

LUNSTEAD